

ARTICLE 66-02

PSYCHOLOGIST LICENSURE

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CHAPTER 66-02-01 LICENSURE AND EXAMINING APPLICATIONS

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66-02-01-01. Application form. All individuals who wish to apply for licensing or registration shall fill out the application form provided by the board.

History: Amended effective April 1, 1988; July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-12, 43-32-20, 43-32-34

66-02-01-01.1. Regional accrediting association. A regional accrediting association means any one of the following:

1. Southern association of colleges and schools.
2. Middle states association of colleges and schools.
3. New England association of colleges and schools.
4. North central association of colleges and schools.
5. North western association of colleges and schools.
6. Western association of schools and colleges.
7. An accrediting association approved by the board.

Accreditation in subsections 1 through 6 means accreditation at level four (doctoral degree-granting institution) or at level five (graduate or professional degree-granting institution).

History: Effective September 1, 2000; amended effective April 1, 2007.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-01

66-02-01-02. Licensure without examination. Repealed effective September 1, 2000.

66-02-01-03. Licensing of psychologists, industrial-organizational psychologists, and applied behavior analysts from other jurisdictions.

Licensing of psychologists, industrial-organizational psychologists, and applied behavior analysts of other jurisdictions will follow the procedures described in North Dakota Century Code sections 43-32-19.1 and 43-51-06. A psychologist, industrial-organizational psychologist, or applied behavior analyst licensed pursuant to North Dakota Century Code sections 43-32-19.1 and 43-51-06 must pass the North Dakota oral examination.

History: Amended effective September 1, 2000; April 1, 2007; October 1, 2011; July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-19.1, 43-51-06

66-02-01-04. Licensure by equivalency. Repealed effective October 1, 2011.

66-02-01-05. Licensure of master's level psychologists. Repealed effective September 1, 2000.

66-02-01-06. Licensure of other applicants. All other applicants for licensing will follow the procedure set forth in North Dakota Century Code sections 43-32-20 and 43-32-34.

History: Amended effective July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-20, 43-32-34

66-02-01-07. Application of code of ethics. The American psychological association ethical principles of psychologists and code of conduct, amended 2010, shall apply to psychologists, industrial-organizational psychologists, applied behavior analysts, and registered applied behavior analysts. The behavior analysts certification board guidelines for responsible conduct, revised 2010, shall apply to applied behavior analysts and registered applied behavior analysts.

History: Amended effective September 1, 2000; April 1, 2007; October 1, 2011; July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-27, 43-32-34

66-02-01-07.1. Procedural exception for processing multiple complaints from the same complainant. If a complainant filed a complaint which was dismissed, the board may dismiss subsequent complaints filed by that complainant without requesting written responses from the licensees.

History: Effective October 1, 2011.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-27.1

66-02-01-08. Fees. The license or registration application fee is four hundred fifty dollars plus the actual cost of the written examination when it is required. An annual license fee of one hundred fifty dollars will be charged all psychologists, industrial-organizational psychologists, applied behavior analysts, and registered applied behavior analysts.

History: Amended effective March 1, 1985; April 1, 1988; September 1, 2000; April 1, 2007; October 1, 2011; July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-12, 43-32-13

66-02-01-09. Number of examinations. The written licensing examination will be administered by computer at designated testing sites throughout the

calendar year. The oral licensing examinations will be administered by the board at least twice each calendar year.

History: Amended effective September 1, 2000; February 1, 2002.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-22

66-02-01-09.1. Written examination. The written examination for psychologists and industrial-organizational psychologists is the examination for the professional practice of psychology. The passing score is a scaled score of 500. Prior to April 18, 1994, seventy percent correct is considered a passing score. A passing score is required for applicants for licensure as a psychologist or as an industrial-organizational psychologist.

History: Effective September 1, 2000; amended effective February 1, 2002; April 1, 2007; July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-20, 43-32-23

66-02-01-10. Guidelines for oral examinations. The oral examination will be administered by at least three board members in addition to any other licensed psychologist whom the board sees fit to add to the examining committee. However, only the board members present may vote. Oral examinations will be scheduled as appropriate but not less than twice a year. The examination committee will use a structured oral examination, will record the applicants' answers, will discuss the results, and the board members will vote with the majority opinion being necessary for the candidate to pass. The examination shall assess the applicant's knowledge of North Dakota law regulating the practice of psychology, industrial-organizational psychology, or applied behavior analysis as well as the applicant's understanding of ethics and standards of practice. Specific questions to be used will be selected at the time of the examination from a pool of questions available for that purpose.

History: Effective March 1, 1985; amended effective April 1, 1988; April 1, 2007; July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-20, 43-32-22, 43-32-23, 43-32-34

66-02-01-11. Additional documentation for clinical work or counseling or therapy. Repealed effective September 1, 2000.

66-02-01-11.1. Supervised professional experience.

1. Applicants for licensure as a psychologist must complete one thousand five hundred hours of supervised predoctoral internship in the practice of psychology. At least one hundred hours of supervision is required, at least fifty of which must be one to one. Successful completion of an American psychological association or Canadian psychological association accredited internship will be accepted as fulfilling this requirement. Any other supervised predoctoral internship experience

must be described in detail by the applicant, including nature of service setting or settings, nature of consumers served, nature and amount of supervision, and specific skills in which the applicant demonstrated proficiency on forms provided by the board. The supervisor or supervisors must corroborate the areas of competence claimed by the applicant. In addition, an applicant for licensure as a psychologist must complete one of the following:

- a. One thousand five hundred hours of supervised postdoctoral experience in the practice of psychology. At least one hundred hours of supervision is required, at least fifty of which must be one to one. Successful completion of an American psychological association or Canadian psychological association accredited postdoctoral program will be accepted as fulfilling this requirement. Any other supervised postdoctoral experience must be described in detail by the applicant, including nature of service setting or settings, nature of consumers served, nature and amount of supervision, and specific skills in which the applicant demonstrated proficiency on forms provided by the board. The supervisor or supervisors must corroborate the areas of competence claimed by the applicant.
- b. One thousand five hundred hours of additional supervised predoctoral training experience in the practice of psychology. At least one hundred hours of supervision is required, at least fifty of which must be one to one. In addition, this training experience must meet all of the following requirements:
 - (1) Be part of a doctoral program that meets requirements of subdivision b of subsection 1 of North Dakota Century Code section 43-32-20.
 - (2) Be completed within six years of the award of the terminal doctoral degree.
 - (3) Be completed within ten years of first application for licensure.
 - (4) Be completed following any introductory practicum experience in applied professional psychology or psychotherapy of a minimum duration of six hundred hours.
 - (5) Be part of an individualized written plan for an organized, sequential series of supervised experiences of increasing complexity.
 - (6) Occur outside of the classroom setting and involve the trainee's direct delivery of supervised psychological services in a practice, agency, institution, counseling center, graduate

training clinic, or other setting approved by the director of training or designee.

- (7) Consist of activities defined as the practice of psychology by subsection 6 of North Dakota Century Code section 43-32-01.
- (8) Occur in placements that are made or approved in advance by the doctoral program director of training or designee.
- (9) Occur in placements in which a licensed psychologist is directly responsible for the integrity and quality of the training experience and specifies training objectives in terms of the competencies expected of the trainee.
- (10) Have an identifiable licensed psychologist who serves as the primary supervisor of the trainee, is clearly available to and professionally responsible for the trainee's clients or patients, has been licensed for at least three years, and is licensed in the jurisdiction in which the training occurs.
- (11) Be part of a sequential training plan that consists of no less than thirty weeks with a weekly onsite presence of no less than fifteen hours.
- (12) Provide, on average, weekly individual face-to-face supervision, which may include remote face-to-face audio and video interactions, devoted to the trainee's cases at a ratio of no less than one hour per fifteen hours onsite and no less than one hour per week. No less than fifty percent of the supervision required in this paragraph shall be provided by the primary supervisor. The remaining face-to-face supervision required in this paragraph may be individual or group supervision provided by a licensed psychologist who has been licensed for at least three years. Supplemental individual or group supervision in excess of the minimum ratio required is encouraged, and may be provided by a psychologist, school psychologist, other licensed mental health professional, or a psychology trainee under an umbrella supervision arrangement, but it may not replace the weekly individual face-to-face supervision requirements.
- (13) May include the use of secure remote technologies, such as telephone, internet, or online communications as a supplemental training and consultation aid and for supervision in excess of the minimum ratio required, although it may not replace the minimum weekly face-to-face individual supervision requirement.

- (14) Must include on average at least one additional hour per week in learning activities, such as additional face-to-face individual supervision, group supervision, case conference or grand rounds, didactic consultations with psychologists or other appropriate licensed mental health professionals, guided professional readings, seminars, or cotherapy with a licensed psychologist or other appropriate professional.
 - (15) Must include regularly scheduled and documented interaction concerning the trainee's progress between the primary supervisor and the director of training at the graduate program or designee, and copies of such documentation will be provided to the board for review upon request.
2. Applicants for licensure as an industrial-organizational psychologist must complete three thousand hours of supervised experience in the practice of industrial-organizational psychology. At least one thousand five hundred hours must be completed after the granting of the doctoral degree. Applicants must submit an individualized supervision plan which is subject to approval by the board. Supervisors of industrial-organizational psychologist applicants must be licensed in their jurisdiction of practice. The supervised experience of applicants for licensure as an industrial-organizational psychologist must be consistent with the applicant's intended area of practice.

History: Effective September 1, 2000; amended effective April 1, 2007; October 1, 2011; July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-20, 43-32-20.1

66-02-01-12. Identifying psychology and industrial-organizational psychology doctoral programs as substantially psychological in nature. Repealed effective October 1, 2011.

66-02-01-12.1. Approved industrial-organizational psychology program accrediting bodies. For purposes of subdivision b of subsection 2 of North Dakota Century Code section 43-32-20, programs designated as doctoral programs in industrial-organizational psychology by the association of state and provincial psychology boards and the national register of health service providers in psychology are approved.

History: Effective October 1, 2011.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-20

66-02-01-13. Psychology resident and industrial-organizational psychology resident.

1. A person intending to perform services as a psychology resident or an industrial-organizational psychology resident shall inform the board on a form prepared by the board prior to performing services. Within six months of registering with the board, the psychology resident or industrial-organizational psychology resident must file with the board a complete application for licensure and be determined by the board to be eligible for licensure. A psychology resident or industrial-organizational psychology resident may sit for the required written examination if the required application and fee have been filed with the board and the board determines the applicant to be eligible for licensure upon completion of examination and postdoctoral requirements. A psychology resident or an industrial-organizational psychology resident who has passed the written examination may sit for the oral examination after completion of six months of residency if the required application and fee have been filed with the board. The psychology resident or an industrial-organizational psychology resident and supervising psychologist or psychologists must complete a report of completed supervised postdoctoral experience for approval of the board prior to licensure. A person may have psychology resident or industrial-organizational psychology resident status for up to five years.
2. A psychology resident or industrial-organizational psychology resident must specify that person's professional title as such in reports, letters, business cards, and public presentations.
3. Supervising psychologists of psychology residents must have at least three years of postlicensure experience. Supervising psychologists of psychology residents must have adequate training, knowledge, and skill to render competently, or have available consultation for, any psychological service which their supervisee undertakes. Supervising psychologists must meet the continuing education requirements in section 66-03-01-04.
4. To verify completion of the residency, the supervising psychologist of the psychology resident or the industrial-organizational resident shall submit documentation to the board of the number and nature of supervised hours of experience.

History: Effective September 1, 2000; amended effective April 1, 2007; July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-20, 43-32-20.1, 43-32-30

66-02-01-14. Nonpayment of annual license fee or failure to complete continuing education. If a licensee or registrant fails to pay the annual fee or complete the required continuing education by January first, the license or registration expires. The licensee or registrant may not practice psychology, industrial-organizational psychology, or applied behavior analysis in the state of North Dakota unless an extension of time is granted or the license is renewed by

payment of the annual renewal fee and late fee and completion of the required continuing education.

History: Effective September 1, 2000; amended effective April 1, 2007; July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-08.1, 43-32-08.2, 43-32-13, 43-32-14

66-02-01-15. Requirements for licensing and registering applied behavior analysts.

1. The board may grant an applied behavior analyst license to an applicant, not employed on August 1, 2011, in the practice of applied behavior analysis, who meets all of the following requirements:
 - a. The applicant has a degree from a school or college that meets one of the following requirements:
 - (1) A degree meeting the requirements of subdivision b of subsection 1 of North Dakota Century Code section 43-32-20.
 - (2) A doctorate or master's degree from a program accredited by the association for behavior analysis international or approved by the behavior analyst certification board.
 - b. The applicant has passed the board-certified behavior analyst examination offered by the behavior analyst certification board.
 - c. The applicant is certified by the behavior analyst certification board.
 - d. The applicant has passed the North Dakota oral examination.
2. The board may grant an applied behavior analyst registration to an applicant, not employed on August 1, 2011, in the practice of applied behavior analysis, who meets all of the following requirements:
 - a. The applicant has a bachelor's degree from a school or college that meets one of the following requirements:
 - (1) A bachelor's degree in a program accredited by the association for behavior analysis international.
 - (2) A bachelor's degree in a program approved by the behavior analyst certification board.
 - (3) A bachelor's degree with a major in psychology that includes all of the following coursework:

- (a) Three semester credits, or the equivalent quarter credits, in introduction to psychology.
 - (b) Six semester credits, or the equivalent quarter credits, in learning theory and behavior intervention.
 - (c) Three semester credits, or the equivalent quarter credits, in abnormal psychology.
 - (d) Four semester credits, or the equivalent quarter credits, in developmental psychology and autism spectrum disorder topics.
- (4) A bachelor's degree with a major in a human service field that includes all of the following coursework:
 - (a) Three semester credits, or the equivalent quarter credits, in introduction to psychology.
 - (b) Six semester credits, or the equivalent quarter credits, in learning theory and behavior intervention.
 - (c) Three semester credits, or the equivalent quarter credits, in abnormal psychology.
 - (d) Four semester credits, or the equivalent quarter credits, in developmental psychology and autism spectrum disorder topics.
- b. The applicant has passed the board-certified assistant behavior analyst examination offered by the behavior analyst certification board, or achieved a score of at least four hundred fifty on the examination for the professional practice of psychology.
- c. The applicant is certified by the behavior analyst certification board or the North Dakota association on behavior analysis.
- d. The applicant has provided a list of psychologists and applied behavior analysts supervising the applicant. If registered, the applicant must promptly notify the board of any changes in the list.
- e. The applicant has passed the North Dakota oral examination.
- 3. The board may grant an applied behavior analyst license to an applicant, employed on August 1, 2011, in the practice of applied behavior analysis, who is exempt under subsection 7 of North Dakota Century Code section 43-32-30, and meets all of the following requirements:

- a. The applicant applies before January 1, 2013.
 - b. The applicant provides a written statement from the applicant's employer that the applicant's employment remains satisfactory.
 - c. The applicant provides a letter of endorsement from the applicant's supervising psychologist.
4. The board may grant an applied behavior analyst license to an applicant, employed on August 1, 2011, in the practice of applied behavior analysis, who has a master's degree in psychology, and meets all of the following requirements:
- a. The applicant applies before January 1, 2013.
 - b. The applicant provides a written statement from the applicant's employer that the applicant's employment remains satisfactory.
 - c. The applicant provides written verification from the applicant's employer that the applicant is employed as a behavior analyst.
5. The board may grant an applied behavior analyst registration to an applicant, employed on August 1, 2011, in the practice of applied behavior analysis, who meets all of the following requirements:
- a. The applicant applies before January 1, 2013.
 - b. The applicant has a bachelor's degree.
 - c. The applicant provides a written statement from the applicant's employer that the applicant's employment remains satisfactory.
 - d. The applicant provides written verification from the applicant's employer that the applicant is employed as a behavior analyst.
 - e. The applicant provides a written plan for supervision by a psychologist or applied behavior analyst. The plan must be approved by the board.

History: Effective October 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-34

66-02-01-16. Limited practice without a license. Upon prior written application to and approval by the board, a psychologist, industrial-organizational psychologist, or applied behavior analyst licensed in good standing in another jurisdiction may practice psychology, industrial-organizational psychology, or

applied behavior analysis in North Dakota for no more than thirty full or partial days per calendar year. The application must include all of the following:

1. A verification from the licensing authority in the other jurisdiction that the applicant is licensed in good standing.
2. A description of the nature of the services to be provided.
3. An explanation of when the services are to be provided.
4. A fee of twenty-five dollars.

History: Effective July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-30, 43-51-05